

CENTRAL BEDFORDSHIRE COUNCIL

At a meeting of the **STANDARDS COMMITTEE** held in Room 14, Priory House, Monks Walk, Shefford on Friday, 17 July 2009

PRESENT

Mr K Ford (Chairman)
Miss D C Maggs (Vice-Chairman)

Cllrs: Mrs J G Lawrence
P Rawcliffe
A A J Rogers
J Street
G Summerfield

Independent Member(s): Mr K Frazer
Mr M Jones

Parish Representatives: Ms J Hughes

Apologies for Absence: Cllrs Mr B Collier
Mrs K Cursons
Mr J Dann
Dr W J Eilbeck
Ms J Rollings

Officers in Attendance: Mrs M Clampitt – Democratic Services Officer
Mrs B Morris – Assistant Director Legal & Democratic Services and Monitoring Officer
Mr N Murley – Assistant Director Audit, Risk & Health & Safety, CBC
Ms K Riches – Head of Audit

STD/09/15 **Appointment of Vice-Chairman for the Municipal Year 2009/10**

The Chairman of the Standards Committee invited nominations for the Elected Member Vice-Chairman of the Standards Committee for the Municipal Year 2009/10. It was agreed at the Standards Committee held 1 May 2009, that following the Council Elections an Elected Member would be appointed.

There was only nomination which was for Cllr Peter Rawcliffe, this was duly seconded. As no other nominations were received. Cllr Rawcliffe was elected Vice Chairman along with Miss Maggs who was elected the Independent Member Vice Chairman at the 1 May 2009 meeting.

RESOLVED

that Cllr P Rawcliffe be elected as Vice-Chairman of the Standards Committee (elected member) for the Municipal Year 2009/10.

STD/09/16 **Minutes**

RESOLVED

that the Minutes of the meeting of the Standards Committee held on the 1 May 2009 be confirmed and signed by the Chairman as a correct record.

STD/09/17 **Members' Interests**

(a) **Personal Interests:-**

None.

(b) **Personal and Prejudicial Interests:-**

Cllr P Rawcliffe	Item 14	had a close personal association	Absent
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STD/09/18 **Public Participation**

There were no applications from members of the public to speak under the Public Participation Procedure allowed for under Part A4 of the Constitution.

STD/09/19 **Chairman's Announcements**

The Chairman announced that the urgent Item No. 15 would be considered following Item 12. Review of Officer/Member Protocol.

STD/09/20 **Disclosure of any Exempt Information**

It was noted that the report of the Monitoring Officer referred to in Agenda Item No. 14 on the subject of the Report of an Investigation under Section 59 of the Local Government Act 2000 by an Ethical Standards Officer into an allegation concerning a former member of Bedfordshire County Council and South Bedfordshire District Council contained exempt information under the provisions of paragraph 1 of Part I of Schedule 12A of the Local Government Act 1972. Accordingly the Standards Committee agreed that this item of business should not be dealt with in the public part of the meeting and therefore press and public should be excluded from the meeting during the consideration of that item of business.

STD/09/21 **Standard Board Bulletin Nos. 43 and 44**

The Committee received and considered the report of the Monitoring Officer, which drew to Members' attention the latest Bulletins issued by the Standards Board for England.

In particular, Members were informed that Bulletin 43 dealt with the annual return to the Standards Board for England which the Council was required to submit by May 2009. The annual return dealt with the cases currently being reviewed or recently reviewed by the Committee. The Monitoring Officer confirmed the annual return was filed on time.

Members were also informed that Bulletin 44 contained recent research around ethical awareness. It was noted that Standards Committees would either be in 'Virtuous Circles' or in the 'Spirals of Despair'.

RESOLVED

that the Standards Bulletins Nos. 43 and 44, as attached to the report of the Monitoring Officer, be noted.

STD/09/22 **Invitation to Join the Association of Independent Members of Standards Committees in England**

The Committee received the report of the Monitoring Officer which drew to Members' attention a letter received from AIMSce inviting Independent Members to join the Association.

The Monitoring Officer informed the Committee that there was a discrepancy between the written material provided and the registration fee was £20 per annum. Members agreed that there would be one member who would be enrolled and they would report back to the Committee any significant information. Mr M Jones agreed to be the member for the first year.

RESOLVED

that the Mr M Jones be enrolled in the Association of Independent Members of Standards Committees in England (AIMSce) for the next year.

STD/09/23 **Update on Current Standard Matters**

The Committee received the report of the Monitoring Officer which advised Members on the latest position relating to Assessment, Reviews and Hearings.

The Monitoring Officer informed the Committee that this would be a regular report which details the current reviews and hearings. Members noted the update on several cases listed in Appendix A.

In response to a question the Monitoring Officer confirmed that the time scale for holding a hearing following an investigation began once the Investigating Officer's report had been submitted.

RESOLVED

that the report of the Monitoring Officer be received and noted.

STD/09/24

The Standards Committee (Further Provisions) (England) Regulations 2009

The Committee received and considered the report of the Monitoring Officer which updated Members on the latest Standards Committee Regulations, which came into force from 15 June 2009.

It was noted that the Statutory Regulations made provision for the Standards Board for England to suspend a local Standards regime if it was not performing satisfactorily.

In addition, the regulations provided for the ability to establish Joint Standards Committees and also for some changes to granting dispensations when a prejudicial interest exists.

RESOLVED

that the Standards Committee (Further Provisions) (England) Regulations 2009 be noted.

STD/09/25

Review of Gifts & Hospitality Code

The Committee received and considered the report of the Monitoring Officer which reviewed the Gifts and Hospitality Code with a view to making any recommendations to the Constitution and Governance Working Group for consideration.

The Committee were advised that the Constitution Working Group had reviewed the Gifts and Hospitality Code in Dember 2008 and included it within the Central Bedfordshire Constitution which was approved by full Council on 26 March 2009.

The Monitoring Officer confirmed that the completed Register on gifts and hospitality was not brought before the Committee however she reviewed the Register as items were added. Members requested that the Standards Board for England fact sheet on declarations of gifts and hospitality would be recirculated to all Members. The Monitoring Officer reminded Members that 'if in doubt declare it'.

The Committee provided the following comments on the code for gifts and hospitality:-

5.1.4 – why does process only cover cultural and sporting events? Should it be extended to cover all events?

5.2 - states that pens must be declared 6.1.4 – states that pens do not need declaration. Is there a contradiction here which needs to be checked?

7.1.3 – This was felt to be too subjective

RESOLVED

that the comments on the Gifts and Hospitality Code as set out above be reported back to the Constitution and Governance Working Group for their consideration.

STD/09/26 **Review of Officer/Member Protocol**

The Committee received and considered the report of the Monitoring Officer which reviewed the Officer/Member Protocol with a view to making any recommendations to the Constitution and Governance Working Group for consideration.

The Monitoring Officer informed the Committee that they had requested this item be brought to the July meeting. The document was standardized and provided the parameters and guidance on how Officer/Member Protocol should be. It was a 'how to' guide.

The Constitution and Governance Working Group reviewed the Protocol on 1 December 2008 and included it within the Central Bedfordshire Constitution which was approved by full Council on 26 March 2009.

The Committee provided the following comments on the protocol:-

2.5.3 – It was suggested that consideration be given to removing the word 'political' from the paragraph, as officers should be neutral

8.10 – It was suggested that inclusion of 'respect for confidentiality' for Officers should be the same as for Members as stated in 8.6.1.

In Appendix "A" it was felt that Town and Parish Councillors should be included with the Independent Standards Committee Members in the table.

RESOLVED

that the comments on the Officer/Member Protocol as set out above be reported back to the Constitution and Governance Working Group for their consideration.

STD/09/27 **Urgent Item of Business**

The Committee received and considered the report of the Assistant Director for Audit and Risk, which requested the review of the Anti Fraud and Corruption Strategy, which had been produced for Central Bedfordshire, in consultation with officers and Unions. Also the Confidential Reporting ("Whistleblowing") Policy, originally included within the Ethical Framework of the Constitution, has been amended to incorporate officers' roles and responsibility and other feedback from relevant officers and Unions.

The Assistant Director for Audit and Risk informed the Committee that the documents would be presented to the Audit Committee at their meeting to be held on 27 July 2009. The documents would be included in the Constitution within the Ethical Handbook. All comments were welcome and would be passed onto the Constitution and Governance Working Group.

Members commended the detail contained within the documents. In relation to the Anti Fraud Policy the Committee were pleased to see the Partnership organisations. The Anti Fraud Strategy raised a couple of comments which were on page 11 of the supplementary document, under the Sanctions and Redress section – 2nd to last paragraph, it was felt that the word 'expected' was not forceful enough and suggested that it be changed to 'required'.

The Confidential Reporting Policy had a typographical error on page 12 of 14. It showed 24 Hours BCC Fraud Hotline. The BCC would be removed.

RESOLVED

that the Anti Fraud and Corruption Policy and Confidential Reporting Policy as attached to the report of the Assistant Director for Audit and Risk, be noted and that the comments contained within the preamble above be forwarded to the Constitution and Governance Working Group.

STD/09/28 **Bringing Standards into Focus - Standards Board Conference 12 - 13 October 2009**

The Committee noted that it was agreed at the Standards Committee meeting held on 1 May 2009, that the appointment of the elected Member attendee would be deferred until after the 4 June 2009 Elections. In addition, Mr Dann has confirmed that he is unable to attend as the Independent Member representative so an alternative needs to be appointed.

The Committee confirmed that they were happy for the Monitoring Officer and Mr Collier (Town and Parish Representative) to attend the Conference, without the appointment of any additional attendees. It was noted that Mr Frazer would be attending separately.

RESOLVED

that the Monitoring Officer and Mr Collier be authorised to attend the Standards Board Conference on 12 – 13 October 2009.

STD/09/29

Report of an Investigation under Section 59 of the Local Government Act 2000 by an Ethical Standards Officer into an allegation concerning a former member of Bedfordshire County Council and South Beds District Council

The Committee received and considered the report of the Monitoring Officer which was from the Ethical Standards Officer of the Standards Board for England in respect of allegations made against a former Bedfordshire and South Beds District Councillor.

RESOLVED

that the report of the Monitoring Officer which included the decision of the Standards Board for England dated 19 June 2009, be noted.

(Note: The meeting commenced at 9.30 a.m. and concluded at 10.20 a.m.)